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COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

THE PEOPLE,

Plaintiff and Respondent,

v.

JOSEPH S. ACEVEDO,

Defendant and Appellant.

D074899

(Super. Ct. Nos. SCD276160,
SCN364305)

APPEAL from an order of the Superior Court of San Diego County, K. Michael Kirkman, Judge. Affirmed.

Arthur Martin, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

Joseph S. Acevedo pleaded guilty to one felony count in each of two separate cases. In case No. SCN364305, Acevedo pleaded guilty to one count of carrying a dirk

or dagger (Pen. Code¹ § 21310). The remaining charges were dismissed as part of the plea agreement. Acevedo was granted probation subject to various terms and conditions. Acevedo later violated probation but was ultimately reinstated on probation.

In case No. SCD276160, Acevedo pleaded guilty to one count of unlawful possession of ammunition (§ 30305, subd. (a)(1)). The remaining charges were dismissed as part of a plea agreement. Acevedo was also granted probation in this case. Acevedo suffered a probation violation but was ultimately reinstated on probation.

Acevedo filed a timely notice of appeal.

Appellate counsel has filed a brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*), indicating counsel has not been able to identify any arguable issues for reversal on appeal. Counsel asks this court to review the record for error as mandated by *Wende*. We offered Acevedo the opportunity to file his own brief on appeal, but he has not responded.

DISCUSSION

As we have noted, appellate counsel has filed a brief pursuant to *Wende* indicating he has not discovered any arguable issues for reversal on appeal. In order to assist this court in its review of the record for error, and in compliance with *Anders v. California* (1967) 386 U.S. 738 (*Anders*), counsel has identified the following possible, but not arguable issues for our consideration: 1) Whether the probation officer properly calculated Acevedo's custody credits; and 2) Whether a probation condition which was

¹ All statutory references are to the Penal Code unless otherwise specified.

objected to at the original sentencing can be appealed following a later probation revocation.

We have reviewed the entire record as required by *Wende* and *Anders*. We have not discovered any arguable issue for reversal on appeal. Competent counsel has represented Acevedo on this appeal.

DISPOSITION

The judgment is affirmed.

HUFFMAN, J.

WE CONCUR:

McCONNELL, P. J.

AARON, J.